

# BREXIT COUPLES

## Call for Papers

Online Workshop 27 June 2025

### The Legal World of Family Migration

Binational or mixed status families live in the shadow of immigration laws which dictate whether and how they can be together. Family migration has become the subject of increased policy concern and legal control in recent years particularly but not only in Europe (Bonjour and Block 2011; Wray et al 2014; Block 2015; D'Aoust 2022; Apostolos et al 2023). Families subject to immigration control are subject to intrusive and prolonged state supervision over many domains (De Hart 2006; Odasso 2021; Charsley and Wray 2023). There has been considerable work on the legal content of family migration regimes and on the consequent bureaucratic and administrative processes (for example, Wray 2011; Satzewich 2015; Geoffrion & Cretton 2021).

Problems for families arise not only from each individual condition that must be met, but from the overall character of the legal regime which they must navigate - often over many years - which is often complex and opaque. The regulation of family migration differs between states, but many systems present significant challenges. The UK's family migration rules, for example, are convoluted, expensive, and among the [most restrictive in the world](#). As a result, law becomes part of families' 'everyday lives' (de Hart et al 2013) and they must operate within a 'hyperlegalised' space characterised by a dense and confusing web of regulation (Wray and El-Shewy forthcoming).

Our interest is in this 'legal world'- a 'specifically human world of socially organised experiences' (Salter 1994: 287) - in how law and legality construct, shape and inform the quality and texture of family migration processes. We are concerned with the role of law at all levels, including human rights, EU law, constitutional norms, national legislation, judicial decisions and administrative rules. Our interest is less the application of specific rules and more the 'conceptual categories and schema that help construct, compose, and interpret social relations' (Silbey 2018:429), the way that law shapes and constrains family migration processes. We are therefore interested also in legality, meaning a more abstract and values



University  
of Exeter



driven sense of law as a ‘schematic structure ... a dialectic composed of general normative aspirations and particular grounded understandings of social relations’ (Silbey 2018:431).

Our aim in this call is to begin a discussion of the characteristics and dynamics of this legal world. It could be approached from above: how do governments conceptualise and instrumentalise law and legality in creating family migration regimes? Equally, it could be answered from below: how do families negotiate, understand and strategise around the law? What is the impact on their legal consciousness (see de Hart and Besselsen 2020)? Alternatively, the focus might be on legal actors: How do courts, lawyers, or judges valorise, interpret, and activate legal norms (see, for example, Wray 2023; Bonjour and Diepenmaat 2024)?

We will explore these questions in a one-day workshop on *The Legal World of Family Migration* to be held online on 27 June 2025. It is organised by Professor Helena Wray and Dr Jasmin El-Shewy (both University of Exeter Law School) and we invite contributions from those at any career stage and from all disciplines. If there is interest from workshop participants, we will develop a proposal for an edited collection or special issue in a socio-legal or migration related journal.

If you would like to take part, please send an abstract of no more than 250 words to [h.wray@exeter.ac.uk](mailto:h.wray@exeter.ac.uk) or [j.fritzsche-el-shewy@exeter.ac.uk](mailto:j.fritzsche-el-shewy@exeter.ac.uk) by **30<sup>th</sup> April 2025**. Please also get in touch if you would like an informal discussion or have any queries.

*This workshop is organised as part of the [Brexit Couples](#) project, funded by the [ESRC](#), which explores the experience of UK-EU couples navigating the UK family immigration system after Brexit.*

## References

- Andrikopoulos, A; Moret, J. and Dahinden, J (eds) *Cross-Border Marriages: State Categories, Research Agendas and Family Practices* (Routledge: 2023)
- Block, L ‘Regulating Membership: Explaining Restriction and Stratification of Family Migration in Europe’ (2015) 36 *Journal of Family Issues* 1433–1452.
- Bonjour S and Block L ‘Ethnicizing citizenship, questioning membership: Explaining the decreasing family migration rights of citizens in Europe’ (2011) 20 *Citizenship Studies* 778-794.



University  
of Exeter



- Bonjour, S and Diepenmaat, S. (2024) 'Doing Family Before the State: Does Recognition of De Facto Families Lead to More Inclusive Migration Law Practices?' *Social Politics: International Studies in Gender, State & Society*
- Charsley, K and H Wray 'Kept apart: Routine family separation in the UK family immigration system as times of crises' (2023) *Migration Studies* 11(3), 380-407
- D'Aoust, A ed (2022). *Transnational marriage and partner migration: Constellations of security, citizenship, and rights*. Rutgers University Press.
- De Hart, B. (2006). *Love thy neighbour: Family reunification and the rights of insiders*. *European Journal of Migration and Law*, 8(3), 251-263.
- De Hart, B and Bessels, E 'Everything went according to the rules: Female citizen sponsors' legal consciousness, intimate citizenship and family migration law' (2021) 28 *Identities* 37-55.
- De Hart, B., van Rossum, W. M., & Sportel, I. (2013). Law in the everyday lives of transnational families: An introduction. *Oñati Socio-Legal Series*, 3(6).
- Geoffrion, K., & Cretton, V. (2021). Bureaucratic routes to migration: Migrants' lived experience of paperwork, clerks and other immigration intermediaries. *Anthropologica*, 63(1), 1-28.
- Odasso, L. 'Negotiating legitimacy: Binational couples in the face of immigration bureaucracy in Belgium and Italy' (2021). *Anthropologica*, 63(1), 1-30.
- Salter, M (1994) 'On the idea of a legal world' *International Journal of the Legal Profession*, 1(3), 283-310.
- Satzewich, V. (2015). *Points of entry: How Canada's immigration officers decide who gets in* (UBC Press).
- Silbey, S. S. (2018) 'Legal culture and cultures of legality' in *Routledge Handbook of Cultural Sociology* (Routledge) 426-435
- Wray, H and El-Shewy, J 'Hyperlegality and partner migration' (under review)
- Wray, H *Regulating Marriage into the UK: A Stranger in the Home* (Farnham: Ashgate/Routledge 2011), chapters
- Wray, H, Agoston, A, and Hutton, J 'A family resemblance? The regulation of marriage migration in Europe' (2014) 16 *European Journal of Migration and Law* 209-247.
- Wray, H *Article 8 ECHR, Family Reunification and the UK's Supreme Court: Family Matters?* (Oxford: Hart Publishing, 2023).